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United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

SERVICE AND REGULATORY ANNOUNCEMENTS

Food and Drug No. 41

(Fourth Revision)

U. S. Department of Agriculture

AMENDMENT OF JULY 8, 1930, TO FEDERAL FOOD AND DRUGS ACT AND REQUIREMENTS THEREUNDER

Under the authority conferred by the amendment of July 8, 1930, to the Federal Food and Drugs Act (sec. 8, par. 5, in the case of food), there are hereby promulgated, to become effective 90 days from date, the following: The forms of statements which must appear on canned food which falls below the standards herein promulgated, the standards for canned peaches, canned pears, canned apricots, canned cherries, canned red sour pitted cherries, canned tomatoes, canned peas, and canned dry peas, and the standards of fill of container for canned mushrooms and for all canned foods. These supersede on the effective date all forms of statements and standards which have been previously promulgated.

M. L. WILSON,
Acting Secretary of Agriculture.

WASHINGTON, D. C., July 12, 1937.

TEXT OF THE AMENDMENT TO FEDERAL FOOD AND DRUGS ACT OF JULY 8, 1930

(Sec. 8 of Food and Drugs Act, par. 5 in the case of food)

AN ACT To amend section 8 of the Act entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein and for other purposes", approved June 30, 1906, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8 of the Act of June 30, 1906, entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", as amended, is amended by adding at the end thereof the following:

"Fifth. If it be canned food and falls below the standard of quality, condition, and/or fill of container, promulgated by the Secretary of Agriculture for such canned food and its package or label does not bear a plain and conspicuous statement prescribed by the Secretary of Agriculture indicating that such canned food falls below such standard. For the purposes of this paragraph the words canned food mean all food which is in hermetically sealed containers and is sterilized by heat, except meat and meat food products which are subject to the provisions of the Meat Inspection Act of March 4, 1907 (Thirty-fourth Statutes, page 1260), as amended, and except canned milk; the word class means and is limited to a generic product for which a standard is to be established and does not mean a grade, variety, or species of a generic product. The Secretary of Agriculture is authorized to determine, establish, and promulgate, from time to time, a reasonable standard of quality, condition, and/or fill of container for each class of canned food as will, in his judgment, promote honesty and fair dealing in the interest of the consumer; and he is authorized to alter or modify such standard from time to time as, in his judgment, honesty and fair dealing in the interest of the consumer may require. The Secretary of Agriculture is further authorized to prescribe and promulgate from time to time the form of statement which must appear in a plain and conspicuous manner on each package or label of canned food which falls below the standard promulgated by him, and which will indicate that such canned food falls below such standard, and he is authorized to alter or modify such form of statement, from time to time, as in his judgment may be necessary. In promulgating such standards and forms of statements and any alteration or modification thereof, the Secretary of Agriculture shall specify the date or dates when such standards shall become effective, or after which such statements shall be used, and shall give public notice not less than ninety days in advance of the date or dates on which such standards shall become effective or such statements shall be used. Nothing in this paragraph shall be construed to authorize the manufacture, sale, shipment, or transportation of adulterated or misbranded foods."

Approved, July 8, 1930.

¹ Standards for other canned foods and other announcements issued hereafter under the authority of the amendment will appear as revisions of, or supplements to, the series of publications known as "Service and Regulatory Announcements, Food and Drug No. 4."

PART I. GENERAL REQUIREMENTS

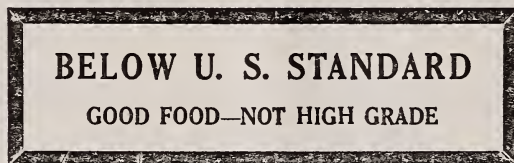
GENERAL FORM OF STATEMENT REQUIRED ON CANNED FOODS OF SUBSTANDARD QUALITY AND CONDITION

1. *Except as otherwise provided in the individual standards, given in Part II, the form of statement for canned foods which fall below the standards of quality and condition shall consist of (1) the NAME of the product, and (2) immediately above or below and parallel therewith, a LEGEND in the following form: A rectangular box with solid border not less than 6 points in width, containing as a FIRST LINE the words "Below U. S. Standard", and as a SECOND LINE the words "Good Food—Not High Grade." Border and type shall be on a strongly contrasting, uniform background. Type shall be Cheltenham bold condensed caps, and for containers under 1 pound net weight the first line 12 point, the second line 8 point; for larger containers the first line 14 point, the second line 10 point. The space between the border and the type, and between the lines, shall not be less than the type face of the first line, and the length of the first line shall be not less than 2 inches.*

EXAMPLES OF THE REQUIRED GENERAL FORM OF STATEMENT ON CANNED FOODS OF SUBSTANDARD QUALITY AND CONDITION

2. (a) For containers under 1 pound net weight.

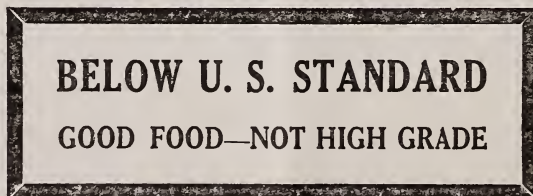
PEAS



Name of Product: Any plain and conspicuous type.
First line of legend: 12-point Cheltenham bold condensed caps.
Length of first line: Not less than 2 inches.
Second line of legend: 8-point Cheltenham bold condensed caps.
Width of border: Not less than 6 points.
Space between type and all sides of border; and between lines: Not less than type face of first line.

(b) For containers 1 pound or over net weight.

PEAS



Name of product: Any plain and conspicuous type.
First line of legend: 14-point Cheltenham bold condensed caps.
Length of first line: Not less than 2 inches.
Second line of legend: 10-point Cheltenham bold condensed caps.
Width of border: Not less than 6 points.
Space between type and all sides of border; and between lines: Not less than type face of first line.

SPECIAL FORMS OF STATEMENTS REQUIRED ON CANNED FOODS OF SUBSTANDARD QUALITY AND CONDITION

3. When special statements, instead of the statement prescribed in paragraph 1, are provided under the several standards, the special statement, in each case, shall be printed on a strongly contrasting, uniform background, in caps of a size not less than those specified below:

For containers under 1-pound net weight,

12-POINT BOLDFACE

For containers of 1-pound net weight or over,

14-POINT BOLDFACE

The name of the article shall not appear in any place on the label or container except as part of the special statement.

PICTORIAL REPRESENTATIONS ON CANNED FOOD OF SUBSTANDARD QUALITY AND CONDITION

4. If a picture of the article is used on any part of the label, the appropriate statement provided under the several standards shall appear immediately above or below such picture.

WARNING

5. The amendment provides that "nothing in this paragraph shall be construed to authorize the manufacture, sale, shipment, or transportation of adulterated or misbranded foods." Accordingly, products which are adulterated or misbranded, under any of the other paragraphs of the Food and Drugs Act, cannot be rendered legal by the employment of any statement or special statement.

GENERAL STANDARD REQUIREMENTS FOR FILL OF CONTAINER FOR ALL CANNED FOODS

6. Canned food is of standard fill when neither the head space nor the amount of water, brine, sugar solution, or other packing medium is excessive.

MEANING OF TERMS

7. "Head space" is the distance from the bottom of the cover of the container to the highest point of the product. It is "excessive" when it exceeds 10 percent of the inside height of the container: *Provided*, That no head space shall be considered excessive which does not exceed one-fourth inch.

"Product" means all of the material present in the can.

8. With the exception of products described in section (a), head space is determined by direct measurement immediately after opening the container.

(a) With products which consist of distinct units with little or no liquid packing medium so that there is considerable decrease in volume due to softening and packing together of the units in processing, head space is determined after pouring out contents from container (breaking apart lumps if necessary), pouring them back and leveling the surface as well as possible without moving the container or pressing downward on the contents. Canned foods are considered to have "little or no liquid packing medium" when the product is of such a nature that, when drained for 2 minutes on an 8-mesh sieve, not more than 10 percent of the total net contents pass through the sieve. Dry pack shrimp and vacuum packed corn are examples of products of this character.

9. Packing medium above the maximum amount permitted by the various specific standards² shall be deemed excessive.

GENERAL FORM OF STATEMENT REQUIRED ON CANNED FOODS OF SUBSTANDARD FILL OF CONTAINER

10. Canned foods which fail to meet the standard for fill of container shall bear the statement, in the form and manner prescribed in paragraph 1, except that the second line of the legend shall be:

(1) In the case of excessive head space:

"SLACK FILL"

(2) In the case of excessive packing medium:

"CONTAINS EXCESS ADDED LIQUID"

² See Part II.

PART II. STANDARDS APPLICABLE TO SPECIFIC CLASSES OF CANNED FOOD

CANNED PEACHES

STANDARD OF QUALITY AND CONDITION

11. Standard canned peaches are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, tender, peeled, mature, unblemished, pitted, unbroken halves of the fruit of the peach tree, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 14° Brix (read at the proper temperature for the instrument used).

MEANING OF TERMS

12. The term "normally colored", as it relates to the fruit, means a naturally developed general effect of yellow.

13. Units of three-fifths of an ounce or larger are "normal sized."

14. The units are "uniform sized" if the weight of the piece of largest size in the can be not more than twice the weight of the smallest piece in the can.

15. The fruit is "tender" when not less than 90 percent of the units by count are completely perforated by a cylindrical rod, five thirty-seconds of an inch in diameter, under a load of 300 grams (approximately 10.6 ounces) applied vertically to the exposed, peeled surface of a test piece carefully fitted into an appropriate holder. The fruit, however, shall not be so soft that the pieces in the can lose their natural shape when the container is opened and the product is carefully removed to a dish.

In performing the tenderness test the rod is placed on the exposed surface under an initial load of 100 grams and the load increased at a uniform, continuous rate of 12 grams per second until the piece is perforated. (A convenient method of obtaining the test piece is as follows: Using a cylinder of approximately 1½ inches diameter, made of sheet metal approximately one thirty-second of an inch thick, cut a core from the fruit completely through from the inner surface to the peeled surface, so that the peeled surface is exposed when the cylinder retaining this core is firmly supported on a horizontal smooth plate.)

16. The fruit is "peeled" if there is present per pound of net contents not more than 1 square inch of peel.

17. The fruit is "unblemished" if 80 percent or more of the pieces in the container are free from unsightly scabs, bruises, frostbites, sunburn, hail injury, raggedness, green or brown colorations, red or dark-streaked flesh, or other unsightly blemishes. The term "raggedness" means a frayed condition of the edges.

18. The fruit is in "unbroken halves" when 90 percent or more of the units are unbroken and do not show excessive trimming, except that the presence of one broken unit against the cover, which may have been broken by the operation of closing the can, shall be disregarded. "Excessive trimming" is defined as that amount which destroys the normal shape of the half.

STATEMENTS REQUIRED ON CANNED PEACHES OF SUBSTANDARD QUALITY AND CONDITION

19. Canned peaches which fail to meet the standard of quality and condition shall bear, except as provided in sections (a) to (g) inclusive, the statement in the form and manner prescribed in paragraph 1.

(a) When canned peaches fail to meet the standard of quality and condition only in that they consist of peaches packed in water, they shall bear a special statement³ showing that fact, such as:

"WATER PACK PEACHES"

(b) When canned peaches fail to meet the standard of quality and condition in that they consist of peeled, whole peaches, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement:³

"WHOLE PEACHES"

³ For required form and manner, see par. 3.

(c) When canned peaches fail to meet the standard of quality and condition in that they consist of uniformly quartered peaches, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement:⁴

“QUARTERED PEACHES”

(d) When canned peaches fail to meet the standard of quality and condition in that they consist of uniformly sliced peaches, otherwise meeting the standard in all respects except that the minimum size of each unit may be one-twelfth of an ounce, they shall bear the special statement:⁴

“SLICED PEACHES”

In determining tenderness of sliced peaches, when the units are not sufficiently large to admit the obtaining of a test piece in the manner above prescribed, a V-shaped metal trough, 1 inch long, three-fourths of an inch wide, and three-fourths of an inch deep, with vertical ends, is a convenient holder.

(e) When canned peaches fail to meet the standard of quality and condition only in that they are white in color, they shall bear the special statement:⁴

“WHITE PEACHES”

(f) When canned peaches fail to meet the standard of quality and condition only because of raggedness but are of a type where raggedness is a normal characteristic, for example, free stone peaches, they shall bear a special statement⁴ showing the particular type to which they belong, e. g.:

“FREESTONE PEACHES”

(g) When canned peaches fail to meet the standard of quality and condition only in that they are not uniform sized, they shall bear the special statement:

“PEACHES, UNGRADED FOR SIZE”

STANDARD REQUIREMENT FOR FILL OF CONTAINER

20. Canned peaches are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

STATEMENT REQUIRED ON CANNED PEACHES OF SUBSTANDARD FILL OF CONTAINER

21. Canned peaches which fail to meet the standard requirement for fill of container as to head space or as to packing medium, shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

CANNED PEARS

STANDARD OF QUALITY AND CONDITION

22. Standard canned pears are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, tender, peeled, mature, unblemished, unbroken halves of the fruit of the pear tree from which the calyx end and seed cells have been removed, with or without removal of the internal stem, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 14° Brix (read at the proper temperature for the instrument used).

MEANING OF TERMS

23. The term “normally colored”, as it relates to the fruit, means a naturally developed, translucent, yellowish-white color.

24. Units of three-fourths of an ounce or larger are “normal sized.”

25. The units are “uniform sized” if the weight of the piece of largest size in the can be not more than twice the weight of the smallest piece in the can.

⁴ For required form and manner, see par. 3.

26. The fruit is "tender" when not less than 90 percent of the units by count are completely perforated by a cylindrical rod, five thirty-seconds of an inch in diameter, under a load of 300 grams (approximately 10.6 ounces), applied vertically to the exposed, peeled surface of a test piece carefully fitted into an appropriate holder. The fruit shall not, however, be so soft that the pieces in the can lose their natural shape when the container is opened and the product is carefully removed to a dish.

In performing the tenderness test the rod is placed on the exposed surface under an initial load of 100 grams and the load increased at a uniform, continuous rate of 12 grams per second until the piece is perforated. (A convenient method of obtaining the test piece is as follows: Using a cylinder of approximately 1½ inches diameter, made of sheet metal approximately one thirty-second of an inch thick, cut a core from the fruit completely through from the inner surface to the peeled surface so that the peeled surface is exposed when the cylinder retaining this core is firmly supported on a horizontal, smooth plate.)

27. The fruit is "peeled" if there is present per pound of net contents not more than 1 square inch of peel.

28. The fruit is "unblemished" if 80 percent or more of the pieces in the container are free from unsightly scabs, bruises, gritty portions, raggedness, pink or brown colorations, or other unsightly blemishes. The term "raggedness" means a frayed condition of the edges.

29. The fruit is in "unbroken halves" when 90 percent or more of the units are unbroken and do not show excessive trimming, except that the presence of one broken unit against the cover, which may have been broken by the operation of closing the can, shall be disregarded. "Excessive trimming" is defined as that amount which destroys the normal shape of the half.

STATEMENTS REQUIRED ON CANNED PEARS OF SUBSTANDARD QUALITY AND CONDITION

30. Canned pears which fail to meet the standard of quality and condition shall bear, except as provided in sections (a) to (e), inclusive, the statement in the form and manner prescribed in paragraph 1.

(a) When canned pears fail to meet the standard of quality and condition only in that they consist of pears packed in water, they shall bear a special statement⁵ showing that fact, such as

"WATER PACK PEARS"

(b) When canned pears fail to meet the standard of quality and condition in that they consist of peeled, whole pears, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement:⁵

"WHOLE PEARS"

(c) When canned pears fail to meet the standard of quality and condition in that they consist of uniformly quartered pears, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement:⁵

"QUARTERED PEARS"

(d) When canned pears fail to meet the standard of quality and condition only because of the presence of gritty portions but are of a type where gritty portions are a normal characteristic, such as Kieffer pears, they shall bear a special statement⁵ showing the particular type to which they belong, e. g.:

"KIEFFER PEARS"

(e) When canned pears fail to meet the standard of quality and condition only in that they are not of uniform size, they shall bear the special statement:⁵

"PEARS, UNGRADED FOR SIZE"

STANDARD REQUIREMENT FOR FILL OF CONTAINER

31. Canned pears are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

⁵ For required form and manner, see par. 3.

STATEMENT REQUIRED ON CANNED PEARS OF SUBSTANDARD FILL OF CONTAINER

32. Canned pears which fail to meet the standard requirement for fill of container as to head space or as to packing medium shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

CANNED APRICOTS**STANDARD OF QUALITY AND CONDITION**

33. Standard canned apricots are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, tender, unpeeled, mature, unblemished, pitted, unbroken halves of the fruit of the apricot tree, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

MEANING OF TERMS

34. The term "normally colored", as it relates to the fruit, means a naturally developed general effect of yellow.

35. Units of three-eighths of an ounce or larger are "normal sized."

36. The units are "uniform sized" if the weight of the piece of largest size in the can be not more than twice the weight of the smallest piece in the can.

37. The fruit is "tender" when the flesh of not less than 90 percent of the units by count is completely perforated by a cylindrical rod, three-sixteenths of an inch in diameter, under a load of 300 grams (approximately 10.6 ounces), applied vertically to the exposed, peeled surface of a test piece carefully placed on an appropriate support. The fruit shall not, however, be so soft that the pieces in the can lose their natural shape when the container is opened and the product is carefully removed to a dish.

In performing the tenderness test the rod is placed on the exposed surface under an initial load of 100 grams and the load increased at a uniform, continuous rate of 12 grams per second until the piece is perforated. (The test piece is conveniently supported on a rigid, convex surface of such curvature as to fit into the seed cavity and permit it to maintain its normal shape. The peel is conveniently removed with pointed, sharp scissors.)

38. The fruit is "unblemished" if 80 percent or more of the pieces in the container are free from unsightly scabs, bruises, frostbites, sunburn, hail injury, green or brown colorations, or other unsightly blemishes.

39. The fruit is in "unbroken halves" when 90 percent or more of the units are unbroken and do not show excessive trimming, except that the presence of one broken unit against the cover, which may have been broken by the operation of closing the can, shall be disregarded. "Excessive trimming" is defined as that amount which destroys the normal shape of the half.

STATEMENTS REQUIRED ON CANNED APRICOTS OF SUBSTANDARD QUALITY AND CONDITION

40. Canned apricots which fail to meet the standard of quality and condition shall bear, except as provided in sections (a) to (e), inclusive, the statement in the form and manner prescribed in paragraph 1.

(a) When canned apricots fail to meet the standard of quality and condition only in that they consist of apricots packed in water, they shall bear a special statement ⁶ showing that fact, such as

"WATER PACK APRICOTS"

(b) When canned apricots fail to meet the standard of quality and condition only in that the halves are peeled, they shall bear the special statement: ⁶

"PEELED APRICOTS"

(c) When canned apricots fail to meet the standard of quality and condition in that they consist of unpeeled, whole apricots, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement: ⁶

"WHOLE APRICOTS"

⁶ For required form and manner, see par. 3.

(d) When canned apricots fail to meet the standard of quality and condition in that they consist of uniformly sliced peeled apricots, otherwise meeting the standard in all respects except that the minimum size of each unit may be one-twentieth of an ounce, they shall bear the special statement:⁷

“SLICED, PEELED APRICOTS”

(e) When canned apricots fail to meet the standard of quality and condition only in that they are not of uniform size, they shall bear the special statement:⁷

“APRICOTS, UNGRADED FOR SIZE”

STANDARD REQUIREMENT FOR FILL OF CONTAINER

41. Canned apricots are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

STATEMENT REQUIRED ON CANNED APRICOTS OF SUBSTANDARD FILL OF CONTAINER

42. Canned apricots which fail to meet the standard requirement for fill of container as to head space or as to packing medium shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

CANNED CHERRIES

STANDARD OF QUALITY AND CONDITION

43. Standard canned cherries are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, fleshy, mature, unblemished, stemmed, whole fruit of the sweet cherry tree (*Prunus avium*), and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

MEANING OF TERMS

44. The fruit is “normally colored” if the naturally developed general color of the flesh be yellowish white.

45. Units of one-tenth of an ounce or larger are “normal sized.”

46. The units are “uniform sized” if the weight of the piece of largest size in the can be not more than twice the weight of the smallest piece in the can.

47. The fruit is “fleshy” if the skin and flesh of the drained cherries are 88 percent or more of their total weight.

48. The fruit is “unblemished” if 80 percent or more of the units in the container are free from unsightly scabs, excessive healed cracks, or other unsightly blemishes. Cracks are “excessive” when their total combined length and width exceeds one-half of an inch, excluding checks less than one-eighth of an inch wide located in the stem depression and concentric with its sides. Unhealed cracks which form during cooking are not blemishes.

STATEMENTS REQUIRED ON CANNED CHERRIES OF SUBSTANDARD QUALITY AND CONDITION

49. Canned cherries which fail to meet the standard of quality and condition shall bear, except as provided in sections (b) to (e), inclusive, the statement in the form and manner prescribed in paragraph 1.

(a) Canned cherries from which only a portion of the pits have been removed, so that there is present more than one cherry pit, or its equivalent in broken pieces of shell, per each 20 ounces of net contents, shall bear the statement prescribed in paragraph 1. In this case the NAME of the product shall be:

“PARTIALLY PITTED CHERRIES”

⁷ For required form and manner, see par. 3.

(b) When canned cherries fail to meet the standard of quality and condition only in that they consist of cherries packed in water, they shall bear a special statement⁸ showing that fact, such as

"WATER PACK CHERRIES"

(c) When canned cherries fail to meet the standard of quality and condition in that they consist of pitted cherries, otherwise meeting the standard, except that they may not meet the requirements for normal and uniform size, they shall bear the special statement:⁸

"PITTED CHERRIES"

(d) When canned cherries fail to meet the standard of quality and condition only because of color, but are of a type where the flesh is of some color other than yellowish white, as Bing cherries, black cherries, etc., they shall bear a special statement⁸ showing the type to which they belong.

(e) When canned cherries fail to meet the standard of quality and condition only in that they are not of uniform size, they shall bear the special statement:⁸

"CHERRIES UNGRADED FOR SIZE"

STANDARD REQUIREMENT FOR FILL OF CONTAINER

50. Canned cherries are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

STATEMENT REQUIRED ON CANNED CHERRIES OF SUBSTANDARD FILL OF CONTAINER

51. Canned cherries which fail to meet the standard requirement for fill of container as to head space or as to packing medium shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

CANNED RED SOUR PITTED CHERRIES

STANDARD OF QUALITY AND CONDITION

52. Standard canned red sour pitted cherries are the normally flavored and normally colored canned food consisting of (1) the mature, unblemished, stemmed, pitted fruit of the red sour cherry tree (*Prunus cerasus*), and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

MEANING OF TERMS

53. The fruit is "normally colored" if the naturally developed general color of both liquid portion and flesh is red.

54. The fruit is "unblemished" if 85 percent or more of the units in the container are free from such defects as limb rubs, scars, scabs, wind whips, brown spots, or other unsightly blemishes. Units showing skin discolorations having a total area of a circle three-sixteenths inch in diameter or less, with no perceptible discoloration of the fruit tissue under the skin, will not be considered as blemished.

55. The fruit is "pitted" when there is present in a can not more than one cherry pit, or its equivalent in broken pieces of shell, per each 20 ounces of net contents.

STATEMENTS REQUIRED ON CANNED RED SOUR PITTED CHERRIES OF SUBSTANDARD QUALITY AND CONDITION

56. Canned red sour pitted cherries which fail to meet the standard of quality and condition shall bear, except as provided in sections (b) and (c), the statement in the form and manner prescribed in paragraph 1.

⁸ For required form and manner, see par. 3.

(a) Canned red sour cherries from which only a portion of the pits have been removed so that there is present more than the amount permitted by paragraph 55, shall bear the statement prescribed in paragraph 1. In this case the NAME of the product shall be:

“PARTIALLY PITTED RED SOUR CHERRIES”

(b) When canned red sour pitted cherries fail to meet the standard of quality and condition only in that they are artificially colored they shall bear the statement in the form and manner prescribed in paragraph 1 except that the second line of the legend shall be:

“BECAUSE ARTIFICIALLY COLORED”

(c) When canned red sour pitted cherries fail to meet the standard of quality and condition only in that they consist of cherries packed in water they shall bear a special statement ⁹ showing that fact, such as:

“WATER PACK RED SOUR PITTED CHERRIES”

STANDARD REQUIREMENT FOR FILL OF CONTAINER

57. Canned red sour pitted cherries are of standard fill with respect to packing medium when the drained weight of the cherries in containers of the dimensions set forth below equals or exceeds the following amounts:

Overall dimensions— sealed can		Trade designation	Drained cherries
Diameter	Height		
<i>Inches</i> 3 $\frac{7}{16}$ 6 $\frac{1}{16}$	<i>Inches</i> 4 $\frac{9}{16}$ 7	307 x 400..... 603 x 700.....	<i>Ounces</i> 13.5 74.0

Red sour pitted cherries in cans of a size not mentioned above will be regarded as of standard fill with respect to packing medium when the drained weight of cherries equals or exceeds 1 ounce for each 2.6 cubic inches inside capacity of the container. When the sugar solution used is of such strength that the liquid portion of the finished product reads 20° Brix or more a tolerance of 5 percent below the above weights is allowed.

Drained weight is determined by draining the contents of the container 2 minutes on an 8-mesh sieve. For containers under 3 pounds net weight, sieves 8 inches in diameter are used. For containers 3 pounds or over net weight, sieves 12 inches in diameter are used. The sieve is tilted as much as possible without shifting of the cherries. Excess liquid is removed by wiping the lower surface of the sieve with a cloth. The solids remaining on the sieve are transferred to a tared dish and their weight determined.

STATEMENT REQUIRED ON CANNED RED SOUR PITTED CHERRIES OF SUBSTANDARD FILL OF CONTAINER

58. Canned red sour pitted cherries which fail to meet the standard requirements for fill of container as to head space or as to packing medium, shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).⁹

CANNED TOMATOES

STANDARD OF QUALITY AND CONDITION

59. Standard canned tomatoes are the normally flavored and normally colored canned food consisting of the peeled, cored, and trimmed whole, or large pieces of, mature red fruit of the tomato vine (*Lycopersicum esculentum*), with or without tomato juice to fill the interstices, and with or without added seasoning (sugar, salt).

⁹ For required form and manner, see par. 3.

MEANING OF TERMS

60. The fruit units consist of "whole or large pieces" when at least 50 percent of the total contents in the container are retained after draining for 2 minutes on a sieve ¹⁰ having two meshes to the inch. On containers of less than 3 pounds net weight, sieves 8 inches in diameter are used. On containers of 3 pounds net weight or more, sieves 12 inches in diameter are used.

61. The term "normally colored" means a naturally developed red, such that the color of a 1-inch layer of the homogeneous mixture made by pulping the least red-colored half, by weight, of the drained meats, fulfills the following requirements in terms of the combination of spinning Munsell color disks given below.

- (1) 5R 2.6/13 (glossy finish).
- (2) 2.5YR 5/12 (glossy finish).
- (3) N 1/ (glossy finish).
- (4) N 4/ (mat finish).

If the color, when viewed in full daylight or its equivalent, is matched by such a combination in which the exposed area of disk (1) covers one-third or more of the circle, and the exposed area of disk (2) does not exceed that of (1), the sample meets the minimum color requirement, regardless of the exposed area of disks (3) and (4).

In performing this test the poorer colored portions of the material retained on the 2-mesh sieve are selected until an amount equaling half of the drained weight is obtained. This material is pulped and freed from air bubbles. It is then placed in a black container and visible seeds are removed by skimming or pressing below the surface. In making selections, pieces may be cut, if necessary, to separate the poorer colored portions.

62. The fruit is "peeled" when there are not more than 3 square inches of peel per pound of net contents in any one container, and the average amount of peel per pound of net contents of the lot does not exceed 1 square inch.

63. The fruit is "trimmed" when the maximum cross-sectional area of all unsightly blemishes does not exceed one-fourth square inch per pound of net contents in the container.

STATEMENTS REQUIRED ON CANNED TOMATOES OF SUBSTANDARD QUALITY AND CONDITION

64. Canned tomatoes which fail to meet the standard of quality and condition shall bear, except as provided in section (a), the statement in the form and manner prescribed in paragraph 1.

(a) When canned tomatoes fail to meet the standard of quality and condition only in that they contain added tomato products, they shall bear the appropriate special statement ¹¹ to show that fact, for example:

"TOMATOES WITH PUREE FROM TRIMMINGS"

STANDARD REQUIREMENT FOR FILL OF CONTAINER

65. Canned tomatoes are of standard fill with respect to packing medium when the amount of tomato juice added does not exceed that which drains from the peeled, cored and trimmed tomatoes present in the can, or its equivalent in the drained juice of other peeled, cored, and trimmed tomatoes: *Provided*, That when peeled and cored whole tomatoes are packed and processed in such a manner as to retain the tomatoes in a practically whole condition when opened, the packing medium is not considered excessive when there is added the juice of other peeled, cored, and trimmed tomatoes in amount not exceeding that necessary to fill the interstices.

STATEMENT REQUIRED ON CANNED TOMATOES OF SUBSTANDARD FILL OF CONTAINER

66. Canned tomatoes which fail to meet the standard requirements for fill of container as to head space or as to packing medium, shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

¹⁰ Wire of a uniform diameter, not less than 0.04 nor more than 0.07 inch.

¹¹ For required form and manner, see par. 3.

CANNED PEAS

STANDARD OF QUALITY AND CONDITION

67. Standard canned peas are the normally flavored and normally colored canned food consisting of the immature, unbroken seed of the common or garden pea (*Pisum sativum*), with or without seasoning (sugar, salt), and with or without added potable water. The product is practically free from foreign material and, in the case of products containing added liquid, the liquor present is reasonably clear.

MEANING OF TERMS

68. The term "normally colored", as it relates to the peas, means a naturally developed effect of green, except that not to exceed 4 percent by count of off-colored peas, such as brown, brown-spotted, white, or yellowish-white peas, may be present.

69. The peas are "immature" (1) if 90 percent or more by count are sufficiently soft so that either cotyledon is crushed by a weight of less than 907.2 grams (2 pounds), (2) if the alcohol insoluble solids of the drained peas do not exceed 23.5 percent, and (3) if less than 25 percent of the peas by count are swollen to such an extent as to rupture the skin sufficiently to separate the broken edges one-sixteenth inch or more.

70. The pea seed is "unbroken" if 80 percent or more of the units by count are in such a condition that the two cotyledons are still held together by the skin, even though the cotyledons may be cracked or partially crushed, or the skin split. Each major portion of a skin or cotyledon not included in the above definition is counted as a broken pea.

71. The peas are "practically free from foreign material" when they are entirely free from material which varies greatly in size or specific gravity from peas, such as stones, large pieces of pea shell, sticks; and when they contain per each 2 ounces of net contents not more than one piece of material which closely approximates peas in size and specific gravity, such as thistle buds, daisy heads, portions of radish seed pods. The difficulty of absolute freedom from the latter class of foreign material occasionally renders its complete exclusion impracticable.

72. The liquor is "reasonably clear" when it is not badly clouded and does not contain considerable sediment.

PREPARATION AND EXAMINATION OF SAMPLE

73. Transfer the contents of the can to a dish, mix and remove a sample of 100 to 200 peas to be used in tests provided in paragraphs 68, 69 (1) and (3), and 70. Place these peas in a dish of appropriate size, cover them with liquor, if liquor is present, and keep dish covered to prevent evaporation until the tests are actually made. Cover the remainder of the sample in the same manner and reserve for tests provided in paragraphs 69 (2), 71 and 72.

74. (a) In determining whether or not 90 percent of the peas are "sufficiently soft" (paragraph 69 (1)), the following method shall be used: Remove the skin of the pea and place one cotyledon on its flat surface on a horizontal, smooth plate. By means of a second horizontal, smooth plate apply vertically an initial load of 100 grams, and increase the load at a uniform, continuous rate of 12 grams per second until the cotyledon is compressed to one-fourth its original thickness.

(b) Determine percentage of alcohol insoluble solids in the drained peas (paragraph 69 (2)) as follows: Pour the sample, provided for this test in paragraph 73, on an 8-mesh screen, using an 8-inch screen for containers of less than 3 pounds net weight, and a 12-inch screen for larger containers. Spread the peas evenly and allow to drain. Reserve liquor, if any, for test provided in paragraph 72. Transfer peas to a white pan and remove any foreign material for tests provided in paragraph 71. Add a volume of water equal to double the volume of the original sample. Pour back on the screen, spreading the peas evenly, tilt the screen as much as possible without shifting the peas and drain for 2 minutes. With a cloth wipe surplus moisture from lower surface of screen, grind the drained peas in a food chopper, stir until homogeneous and weigh 20 grams of the ground material into a 600 cc beaker. Add 300 cc of 80 percent alcohol (by volume), stir, cover beaker and bring to a boil. Simmer slowly for one-half hour. Fit into a Buchner funnel a filter paper, previously prepared as follows: Place a paper of appropriate size in a flat bottom dish, uncovered but provided with a tight fitting cover. Dry for two hours at the temperature of boiling water, cover dish, cool in a desiccator, and weigh at once. Transfer contents of beaker to Buchner funnel, filter with suction, and wash material on filter with 80 percent alcohol until washings are clear and colorless. Transfer filter paper and alcohol insoluble solids to the dish used in the preparation of the filter paper, dry uncovered for 2 hours at the temperature of boiling water, place cover on dish, cool in a desiccator, and weigh at once. From this weight deduct weight of dish, cover and paper to determine weight of alcohol insoluble solids. Calculate percentage.

STATEMENTS REQUIRED ON CANNED PEAS OF SUBSTANDARD QUALITY AND CONDITION

75. Canned peas which fail to meet the standard of quality and condition shall bear, except as provided in section (a), the statement in the form and manner prescribed in paragraph 1.

(a) When canned peas fail to meet the standard of quality and condition only in that they are artificially colored, they shall bear the statement in the form and manner prescribed in paragraph 1, except that the second line of the legend shall be

"BECAUSE ARTIFICIALLY COLORED."

STANDARD REQUIREMENT FOR FILL OF CONTAINER

76. Canned peas are of standard fill with respect to packing medium when the proportion of free liquid in the product is such that when the contents of the container are poured out and poured back into the container standing on a level surface, and the peas leveled without downward pressure, the liquid does not completely cover the peas after being allowed to stand for 15 seconds: *Provided*, That when the declared net weight is sufficient to fill the container to 90 percent or more of its capacity, liquid in excess of such declared net weight shall be removed before making the test.

STATEMENT REQUIRED ON CANNED PEAS OF SUBSTANDARD FILL OF CONTAINER

77. Canned peas which fail to meet the standard requirements for fill of container as to head space or as to packing medium, shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

CANNED DRY PEAS

STANDARD OF QUALITY AND CONDITION

78. Standard canned dry peas are the normally flavored and normally colored canned food consisting of the thoroughly cooked, mature, unbroken seed of the common or garden pea (*Pisum sativum*), with or without seasoning (sugar, salt), and with added potable water. The product is practically free from foreign material.

MEANING OF TERMS

79. Canned dry peas are "normally colored" when they possess the natural color of the product, except that not to exceed 4 percent by count of off-colored peas, such as brown, brown spotted, white, or yellowish-white peas may be present.

80. The seed is "thoroughly cooked" if 90 percent or more of the units by count are sufficiently soft so that either cotyledon is crushed by a weight of less than 907.2 grams (2 pounds) by the following method:

Remove the skin of the pea and place one cotyledon on its flat surface on a horizontal, smooth plate. By means of a second horizontal, smooth plate apply vertically an initial load of 100 grams and increase the load at a uniform, continuous rate of 12 grams per second until the cotyledon is compressed to one-fourth its original thickness.

81. The seed is "unbroken" if 80 percent or more of the units by count are in such a condition that the two cotyledons are still held together by the skin, even though the cotyledons may be cracked or partly crushed, or the skin split.

82. The product is "practically free from foreign material" if it is entirely free from stones, and if there is present per pound of net contents not more than one piece of nonstony material any dimension of which is less than twice the thickness of a pea.

STATEMENT REQUIRED ON CANNED DRY PEAS OF SUBSTANDARD QUALITY AND CONDITION

83. Canned dry peas which fail to meet the standard of quality and condition shall bear the statement in the form and manner prescribed in paragraph 1.

STANDARD REQUIREMENT FOR FILL OF CONTAINER

84. Canned dry peas are of standard fill with respect to packing medium when the proportion of free liquid in the product is such that when the contents of the container are poured out and poured back into the container standing on a level surface, and the cooked dry peas leveled without downward pressure, the liquid does not completely cover the cooked dry peas after being allowed to stand for 15 seconds: *Provided*, That when the declared net weight is sufficient to fill the container to 90 percent or more of its capacity, liquid in excess of such declared net weight shall be removed before making the test.

STATEMENT REQUIRED ON CANNED DRY PEAS OF SUBSTANDARD FILL OF CONTAINER

85. Canned dry peas which fail to meet the standard requirements for fill of container as to head space or as to packing medium, shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).

NOTE ON LABELING OF STANDARD CANNED DRY PEAS

86. Because of the decision of the Federal courts that canned dry peas are a different generic product from canned immature peas, the revised labeling requirements, under the general terms of the Food and Drugs Act, for standard canned dry peas are given below for the convenience of the canning trade:

To differentiate canned dry peas clearly from canned immature peas the product must be labeled with the expression "Dry peas." If desired, the expression may be qualified by some descriptive term, such as "soaked" or "cooked." The expression "Dry peas" must be prominently displayed in letters of equal size and prominence, of the same color, and on a strongly contrasting, uniform-colored background. Further, the words must not be separated by intervening printed or pictorial matter and the expression must be so centered that the word "dry" will be as clearly seen as the word "peas." In addition, wherever the word "peas" appears on the label, it must be directly accompanied by the word "dry" in the manner and form above specified. No pictorial design or device indicating that the peas are immature should be used. If a pictorial design showing peas is used, the color of such peas must not be of a shade of green deeper than that of dry peas before soaking.

CANNED MUSHROOMS

STANDARD REQUIREMENT FOR FILL OF CONTAINER

87. Canned mushrooms are of standard fill with respect to packing medium when the drained weight of mushrooms in containers of the dimensions set forth below equals or exceeds the following amounts:

Overall Dimensions— Sealed Can		Trade Designation	Drained Mushrooms
Diameter	Height		
<i>Inches</i>	<i>Inches</i>		<i>Ounces</i>
2½	2¼	202 x 204.....	2
2½	2	208 x 200.....	2.4
2½¼	2¾	211 x 212.....	4
2½¼	3¼	211 x 304.....	4.9
2½¼	4	211 x 400.....	6.1
2½¼	4½	215 x 408.....	8.5
3	4	300 x 400.....	8
3	4¾	300 x 407.....	8.8
3¼	4½	307 x 408.....	11.8
3¼	4¾	307 x 409.....	12

Mushrooms in cans of a size not mentioned above will be regarded as of standard fill with respect to packing medium when the drained weight of mushrooms equals or exceeds 1 ounce for each 3 cubic inches inside capacity of the container.

Drained weight is determined by draining the contents of the containers 2 minutes on an 8-mesh sieve, with the sieve tilted as much as possible without shifting of the mushrooms. Excess liquid is removed by wiping lower surface of screen with a cloth. The solids remaining on the sieve are transferred to a dish and their weight determined.

STATEMENT REQUIRED ON CANNED MUSHROOMS OF SUBSTANDARD FILL OF CONTAINER

88. Canned mushrooms which fail to meet the standard requirements for fill of container as to head space or as to packing medium, shall bear the appropriate statement in the form and manner prescribed in paragraph 10 (1) or 10 (2).



